

#### C. Earl Hunter, Commissioner

Promoting and protecting the health of the public and the environment.

## **Notification of Public Notice**

Enclosed are public notices issued by the SCDHEC Office of Ocean and Coastal Resource Management and the U.S. Army Corps of Engineers. All interested parties are allowed 30 days for major developments and 15 days for minor developments after receipt of the public notices to the written comments to the OCRM pertaining to the applications. Only those comments received within this period must be reviewed by the OCRM in processing the permit application. Any person vishing notification of the initial OCRM decision on any specific public notice must make written request within the designated review period for that public notice.

**APPLICANT** 

## **PUBLIC NOTICE NUMBER**

SUSPENSE DATE

Charleston Branch Pilots Assoc SC Department of Transportation

99-1E-305-P (revised) 2004-1W-323-P (revised) August 7, 2005 July 22, 2005

July 7, 2005

# JOINT PUBLIC NOTICE

CHARLESTON DISTRICT, CORPS OF ENGINEERS
69A Hagood Avenue
Charleston, South Carolina 29403-5107

THE S.C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL
Office of Ocean and Coastal Resource Management
1362 McMillan Avenue, Suite 400
Charleston, South Carolina 29405

REGULATORY DIVISION

Refer to: P/N #99-1E-305 (Revised)

1 JULY 2005

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403, and the South Carolina Coastal Zone Management Act (48-39-10 et.seq.) an application has been submitted to the Desirement of the Army and the South Carolina Department of Health and Environmental Control by

CHARLESTON BRANCH PILOTS ASSOCIATION C/O APPLIED TECHNOLOGY AND MANAGEMENT, INC. POST OFFICE BOX 20336 CHARLESTON, SOUTH CAROLINA 29413-0336

for a permit to construct a boat lift, floating dock and fender piles in

## **CHARLESTON HARBOR**

at the Harbor Pilots' facility located at 6 Concord Street, Charleston County, South Carolin (Latitude: 32.77487, Longitude: -79.92579)

In order to give all interested parties an opportunity to express their views

### NOTICE

is hereby given that written statements regarding the proposed work will be received by both of the above mentioned offices until

# 12 O'CLOCK NOON, MONDAY, 18 JULY 2005

from those interested in the activity and whose interests may be affected by the proposed work.

The proposed revisions to this public notice include the construction of a 1) 40,000 lb., 8-pile boat lift; 2) an 8' x 40' floating dock with steel pipe anchor piles and a dock ladder; and 3) 4 timber and ender piles. All work will be located on the land side of the existing dock. The purpose of the proposed project is to facilitate the berthing and use of a 42' length over all (LOA), rigid inflatable boat currently being built for the Harpor Pilots.

NOTE: Plans depicting the work described in this notice are available and will be provided, upon receipt of a written request, to anyone that is interested in obtaining a copy of the plans for the specific project. The request must identify the project of interest by public notice number and a self-addressed stamped envelope must also be provided for mailing the drawings to you. Your request for drawings should be addressed to the

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# U.S. Army Corps of Engineers ATTN: REGULATORY DIVISION 69A Hagood Avenue Charleston, South Carolina 29403-5107

The work shown on this application must also be certified as consistent with applicable provisions of the Coastal Zone Management Program (15 CFR 930). The District Engineer will not process this application to a conclusion until such certification is received. The applicant is hereby advised that supplemental information may be required by the State to facilitate the review. Persons wishing to comment or object to State certification must submit all comments in writing to the South Carolina Department of Health and Environmental Control at the above address within thirty (30) days of the date of this notice.

This initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Implementation of the proposed project would impact estuarine substrates and emergent wetlands utilized by various life stages of species comprising the red drum, shrimp, and snapper-grouper management complexes. Our initial determination is that the proposed action would not have a substantial individual or cumulative adverse impact on EFH or fisheries managed by the South Atlantic Fishery Management Council and the National Marine Fisheries Service (NMFS). Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

Pursuant to Section 7(c) of the Endangered Species Act of 1973 (as amended), the District Engineer has consulted the most recently available information and has determined that the project is not likely to adversely affect any Federally endangered, threatened, or proposed species or result in the destruction or adverse modification of designated or proposed critical habitat. This public notice serves as a request for written concurrence from the U.S. Fish and Wildlife Service and/or the National Marine Fisheries Service on this determination.

The District Engineer has consulted the latest published version of the National Register of Historic Places for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein, and this worksite is not included as a registered property or property listed as being eligible for inclusion in the Register. Consultation of the National Register constitutes the extent of cultural resource investigations by the District Engineer, and he is otherwise unaware of the presence of such resources. Presently unknown archaeological, scientific, prehistorical, or historical data may be lost or destroyed by the work to be accomplished under the requested permit.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the project must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production and, in general, the needs and welfare of the people. A permit will be granted unless the District Engineer determines that it would be contrary to the public interest. In cases of conflicting property rights, the Corps of Engineers cannot undertake to adjudicate rival claims.

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REGULATORY DIVISION Refer to: P/N 99-1E-305 (Revised)

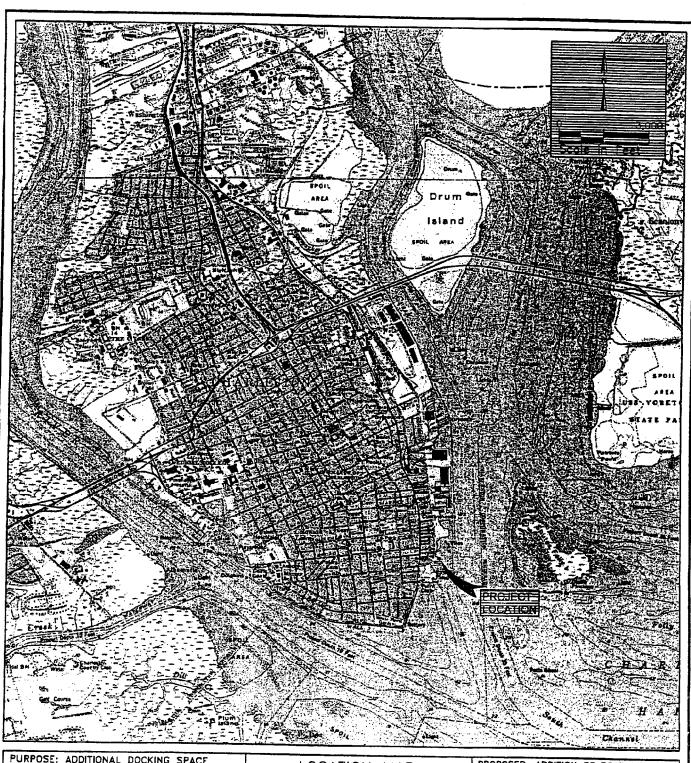
The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this project. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environments effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

If there are any questions concerning this public notice, please contact me at 841-329-8044 or toll free at 1-866-329-8187.

Robin Coller-Socha Project Manager Regulatory Division

U.S. Army Corps of Engineers

Bill Eiser Project Manager SCDHEC-OCKM



PURPOSE: ADDITIONAL DOCKING SPACE DATUM: MLW

APPLICATION BY: CHARLESTON BRANCH PILOTS ASSOCIATION

ADJACENT PROPERTY OWNERS:

US NAVY CITY OF CHARLESTON

LOCATION MAP

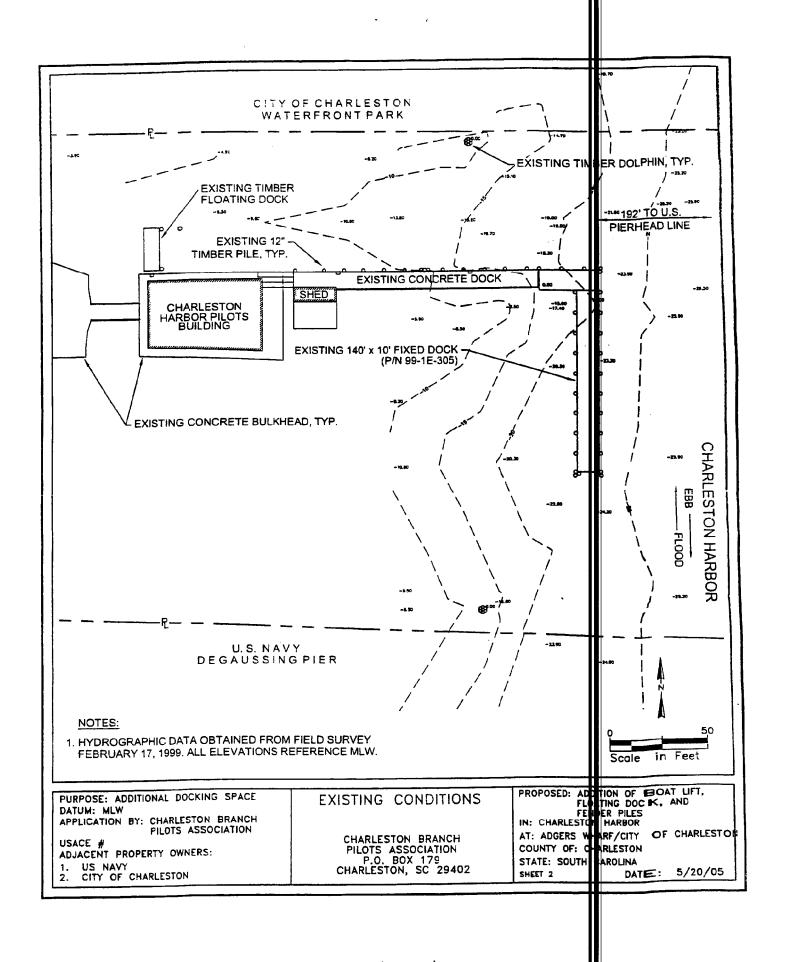
CHARLESTON BRANCH PILOTS ASSOCIATION P.O. BOX 179 CHARLESTON, SC 29402

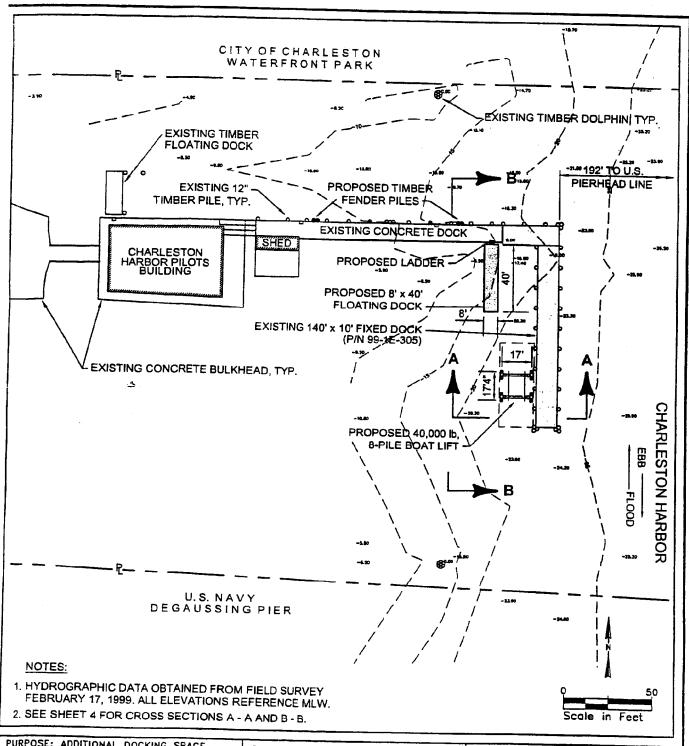
PROPOSED: ADDITION OF BOAT LIFT, FLOATING DOCK, AND FENDER PILES IN: CHARLESTON HARBOR

AT: ADGERS WHARF/CITY OF CHARLESTON COUNTY OF: CHARLESTON

STATE: SOUTH CAROLINA

SHEET 1 DATE: 5/20/05





PURPOSE: ADDITIONAL DOCKING SPACE DATUM: MLW APPLICATION BY: CHARLESTON BRANCH PILOTS ASSOCIATION

ADJACENT PROPERTY OWNERS:

US NAVY CITY OF CHARLESTON

PROPOSED IMPROVEMENTS

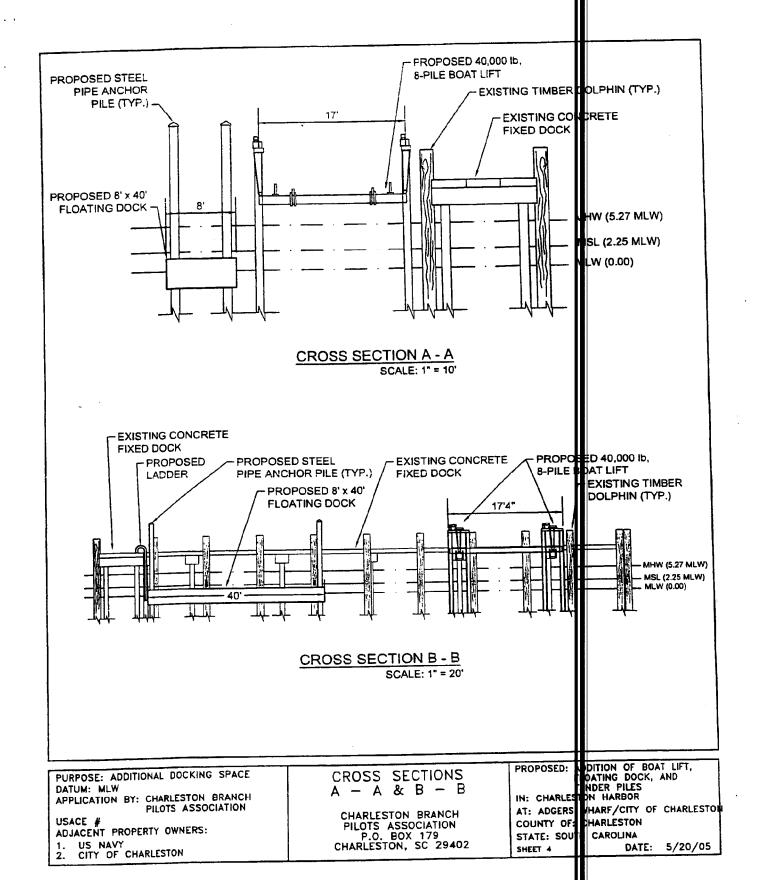
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PROPOSED: ADDITION OF BOAT LIFT, FLOATING DOCK, AND FENDER PILES IN: CHARLESTON HARBOR

AT: ADGERS WHARF/CITY OF CHARLESTON

COUNTY OF: CHARLESTON STATE: SOUTH CAROLINA

SHEET 3 DATE: 5/20/05



# JOINT PUBLIC NOTICE

CHARLESTON DISTRICT, CORPS OF ENGINEERS 69A Hagood Avenue Charleston, South Carolina 29403-5107 and the

S.C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTRO OFFICE OF OCEAN AND COASTAL RESOURCE MANAGEMEN 1362 McMillan Avenue, Suite 400

Charleston, South Carolina 29405

REGULATORY DIVISION

Refer to: P/N #2004-1W-323-P (Revised)

403), Sections Pursuant to Section 10 of the Rivers and Harbors Act of 189 401 and 404 of the Clean Water Act (33 U.S.C. 1344), and the South Car Management Act (48-39-10 et.seq.) an application has been submitted to the artment of the Army and the S.C. Department of Health and Environmental Control by

> SC DEPARTMENT OF TRANSPORTATION C/O JAY CASHMAN, INC. / TESTA CORPORATION AJV 222 HUGER STREET CHARLESTON, SOUTH CAROLINA 29403

for a permit to place fill material in waters of the

COOPER RIVER AND TOWN CREEK

at locations in and around the footprint of the Grace Memorial and Silas Pearlman Bridges over the Cooper River and Town Creek on US Route 17 North between the City of Charleston and the Town of Mt. Pleasant, Charleston County, South Carolina (Latitude: 32.80400°, Longitude: -79.91689°)

In order to give all interested parties an opportunity to express their views

## NOTICE

is hereby given that written statements regarding the proposed work will be redeived by both of the above mentioned offices until

# 12 O'CLOCK NOON, MONDAY, 18 JULY 2005

from those interested in the activity and whose interests may be affected by the proposed work.

This public notice describes revisions to P/N 2004-1W-323 for demolition of the Silas Pearman and Grace Memorial Bridges. The revisions include the construction of offerdams around the existing bridge piers to provide access to the pier foundations. In addition, the revisions include the construction of 2 temporary trestles. A 50' x 25' trestle will be located on the Cooper River side of Drum Island, and a 1250' x 30' trestle will be located on the Cooper River side of Mt. Pleasant. Further, approximately 4315 linear feet of temporary earther causeways will be constructed on Drum Island to provide access for the demolition equipment used in razing of the two bridges. These causeways will be approximately 25 feet wide, 3 feet thick and be constructed of biaxial geogrid under an aggregate base course compacted to 95 d of its maximum

1 July 2005

density. Silt fencing will be constructed along the perimeter of all temporary earthen causeways. Following construction, wetlands impacted by the trestles or causeways will be restored to their original condition. All other details related to P/N 2004-1W-323 remain the same.

NOTE: Plans depicting the work described in this notice are available and will be provided, upon receipt of a written request, to anyone that is interested in obtaining a copy of the plans for the specific project. The request must identify the project of interest by public notice number and a self-addressed stamped envelope must also be provided for mailing the drawings to you. Your request for drawings should be addressed to the

U.S. Army Corps of Engineers
ATTN: REGULATORY DIVISION
69A Hagood Avenue
Charleston, South Carolina 29403-5107.

The District Engineer has concluded that the discharges associated with this project, both direct and indirect, should be reviewed by the South Carolina Department of Health and Environmental Control in accordance with provisions of Section 401 of the Clean Water Act. As such, this notice constitutes a request, on behalf of the applicant, for certification that this project will comply with applicable effluent limitations and water quality standards. The work shown on this application must also be certified as consistent with applicable provisions the Coastal Zone Management Program (15 CFR 930). The District Engineer will not process this application to a conclusion until such certifications are received. The applicant is hereby advised that supplemental information may be required by the State to facilitate the review.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Implementation of the proposed project would impact approximately 1.0 acre of estuarine substrates and emergent wetlands utilized by various life stages of species comprising the red drum, shrimp, and snapper-grouper management complexes. Our initial determination is that the proposed action would not have a substantial individual or cumulative adverse impact on EFH or fisheries managed by the South Atlantic Fishery Management Council and the National Marine Fisheries Service (NMFS). Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

Pursuant to Section 7(c) of the Endangered Species Act of 1973 (as amended), the District Engineer has consulted the most recently available information and has determined that the project is not likely to adversely affect any Federally endangered, threatened, or proposed species or result in the destruction or adverse modification of designated or proposed critical habitat. This public notice serves as a request for written concurrence from the U.S. Fish and Wildlife Service and/or the National Marine Fisheries Service on this determination.

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Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

The decision whether to issue a permit will be based on an evaluation of the public impact including cumulative impacts of the activity on the public interest and will include application of the guidelines promulgated by the Administrator, Environmental Protect on Agency (EPA), under authority of Section 404(b) of the Clean Water Act and, as appropriate, the criterial established under authority of Section 102 of the Marine Protection, Research and Senctuaries Act of 1972, as amended. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to corrue from the project must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project will be considered including the cumulative effects the of; among those are conservation, economics, aesthetics, general environmental concerns, we lands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production and, in general, the needs and welfare of the permit will be granted unless the District Engineer determines that it would be contrave to the public interest. In cases of conflicting property rights, the Corps of Engineers cannot undertake to adjudicate rival claims.

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Robin D. Coller-Socha

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Project Manager Regulatory Division

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